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SEP 20 2002

In re Application of  
Joseph F. Loprete, John R. Williams, Gene  
Michael Fields, and Joe T. Hill

**OFFICE OF PETITIONS**

Application No. 09/090,358

Filed: June 4, 1998

**DECISION ON PETITION**

Attorney Docket No. 60.298-038

Title: SCROLL COMPRESSOR WITH  
MOTOR CONTROL FOR CAPACITY  
MODULATION

This is a decision on the renewed petition<sup>1</sup> filed on September 6, 2002, pursuant to 37 C.F.R. §1.137(b)<sup>2</sup>, to revive the above-identified application.

The previous decision is hereby **VACATED**, as no issue fee is required prior to the mailing of a Notice of Allowability and Issue Fee Due<sup>3</sup>.

The renewed petition is **GRANTED**.

The application file is being forwarded to Technology Center 3700 for processing of the amendment filed with the original petition.


<sup>1</sup> The original petition, filed on April 22, 2002, was dismissed by a decision mailed on August 21, 2002, or failure to include the issue fee.

<sup>2</sup> A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

<sup>3</sup> Consequently, the issue fee has not been charged to petitioner's Deposit Account.

Telephone inquiries concerning this decision should be directed to Petitions Attorney Paul Shanoski at (703) 305-0011.

A handwritten signature in black ink, appearing to read "Paul Shanoski".

Paul Shanoski  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy